

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-31285-2021 in / and
CRM-M-38522-2020
Date of Decision:-28.9.2021

GOBIND SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Nandan Jindal, Advocate
for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

CRM-31285-2021

Instant application has been filed for preponment of main case
to some early date.

Keeping in view the reasons mentioned in the application, the
application is allowed and the main case is taken on board today itself.

Main Case

The petitioner has filed the present petition *inter-alia* with a prayer seeking quashing of the impugned order dated 14.10.2020 (Annexurer P-1) passed by learned Judicial Magistrate Ist Class, Dhuri vide which the application of the petitioner for release of car on *sapurdari* with a condition to furnish a bank guarantee bonds in the sum of ₹1,25,000/- was allowed.

Learned counsel by making reference to the pleadings in the petition submits that vide the impugned order 14.10.2020 (Annexure P-1) passed by learned Judicial Magistrate Ist Class, Dhuri has, on an application of the petitioner (to release the car bearing registration No.DL-I-CL-5161 on *Sapurdari*) allowed the prayer to release the vehicle but with a condition to furnish the bank guarantee in the sum of ₹1.25 lakh.

Learned State counsel refuted the claim of the petitioner and prayed for dismissal of the application.

Faced with this situation, learned counsel for the petitioner submits that the petitioner does not have ₹1.25 lakh cash readily available to be kept in the Bank and, therefore, he has instructions from the petitioner and his relatives to offer that they would submit original property papers valuing ₹1.25 lakh or more with the trial Court and also undertake not to create any encumbrance or sell the said property pending trial, till further orders of the trial Court.

In view of the above, accepting the offer made by the counsel for the petitioner, order dated 14.10.2020 (Annexure P-1) passed by learned Judicial Magistrate Ist Class, Dhuri is modified to the extent that in place of

Bank guarantee in the sum of ₹1.25 lakh, the trial Court would accept original property papers valuing ₹1.25 lakh or more. The petitioner would also undertake not to create any encumbrance or sell the said property pending trial, till further orders of the trial Court.

The petition stands disposed of accordingly.

(KARAMJIT SINGH)
JUDGE

28.9.2021
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No